

### **Remarks**

The numbered paragraphs of the office action are responded to through the corresponding numbered paragraphs below. The applicant has addressed each issue in turn and, for clarity, has provided a heading for each issue.

1. The Examiner indicated that "this Office action is in response to the amendment filed on 06/17/2004 and claims 41-73 are presented for further examination." The applicant believes that no specific response is required for this paragraph.

#### ***Claim Rejections - 35 U.S.C. § 103***

2. The Examiner provided the citation to "35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action." The Examiner also stated that the "examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made." The applicant confirms that all inventors are and were employees of Helius Development Corporation at the time the invention was made and have executed assignments of all their rights to Helius Development Corporation. The subject matter of the claims is therefore commonly owned.

3. The Examiner rejected claims 41-73 "under 35 U.S.C. § 103(a) as being unpatentable over Dillon, U.S. Pat. No. 5,995,726." The applicant has requested that claims 41 (on which claims 42-58 depend), 59 (on which claims 60-69 depend), 70, 71, 72 and 73 be amended to more clearly point out that the downloaded data is routed to client computers irrespective of said client computers' operating systems such that said server computer does not require the same operating system for each of said client

computers. The applicant believes that the claims as currently presented are neither described nor suggested by the cited or any other known references. The applicant respectfully requests reconsideration and withdrawal of this rejection.

***Response to Arguments***

4. The Examiner indicated that "Applicant's arguments have been fully considered but are not persuasive". The applicant appreciates the Examiner's consideration but maintains that, to the applicant's best information, the Examiner is in error when he states "a client-server connected to a LAN with a plurality of clients because it is old and known in the art to use LAN or WAN with a plurality of clients to connect to the Internet." In order to facilitate the further prosecution of this application, the applicant has requested that the independent claims be amended as previously noted.

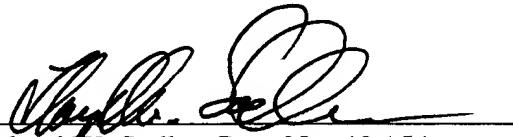
***Conclusion***

5. The Examiner indicated that this "action is made final and that a shortened statutory period for response is set and that extensions may be obtained under the provisions of 37 CFR 1.136(a)." The applicant is submitting a Petition for Extension of Time and Fee for an extension of time under the provisions of 37 CFR 1.136(a) along with a Request for Continued Examination and Fee with this response. The applicant believes that this submission, being made within the permitted extension period is fully responsive and permits this application to continue prosecution.

6. The Examiner provided information concerning communication with the Examiner on this case. The applicant appreciates the Examiner's willingness to communicate and progress this case.

In view of the foregoing, and in summary, Applicant believes that all issues and points of the Examiner's Office Action have been addressed and that the independent claims and all claims dependent on this claims are patentable over the prior art. Reconsideration of the application and allowance of this application is respectfully requested.

Respectfully submitted this 4th day of April, 2005.



Lloyd W. Sadler, Reg. No. 40,154

SNELL & WILMER, LLP

15 West South Temple, Suite 1200

Salt Lake City, Utah 84101

Telephone: (801) 257-1960

Facsimile: (801) 257-1800